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*Attorneys for Defendants  
TikTok Inc. and ByteDance Inc.*

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

BERNADINE GRIFFITH,  
Plaintiff,  
v.  
TIKTOK INC., et al.,  
Defendants.

Case No. 5:23-cv-00964-SB-E

**DECLARATION OF SOPHIA M.  
MANCALL-BITEL**

1 I, Sophia M. Mancall-Bitel, declare:

2 1. I am an associate with the law firm of Wilson Sonsini Goodrich &  
3 Rosati, P.C., admitted to practice in California and this district. I have personal  
4 knowledge of the facts described below, and if called as a witness, I could and  
5 would testify competently thereto. I submit this Declaration in support of the  
6 Parties' Joint Stipulation Regarding Plaintiffs' Motion to Compel Discovery  
7 Regarding the Data Collected on Non-TikTok Users and Changes Made to the  
8 TikTok SDK.

9 2. Attached as Exhibit 1 is a true and accurate copy of the webpage titled  
10 "Pixel Release Notes," which is publicly available at:  
11 <https://ads.tiktok.com/help/article/pixel-release-notes?lang=en> (last visited  
12 November 8, 2023). Defendants produced this document on August 18, 2023.

13 3. Attached as Exhibit 2 is a true and accurate copy of the webpage titled  
14 "Changelog," which is publicly available at: [https://business-](https://business-api.tiktok.com/portal/docs?id=1771101231937537)  
15 [api.tiktok.com/portal/docs?id=1771101231937537](https://business-api.tiktok.com/portal/docs?id=1771101231937537) (last visited November 8,  
16 2023). Defendants produced this document on August 18, 2023.

17 4. Attached as Exhibit 3 is a true and correct copy of Plaintiffs' Requests  
18 for Production of Documents and Things, Set 3 (Nos. 69-72), which was served on  
19 Defendants on October 31, 2023.

20 5. Attached as Exhibit 4 is a true and correct copy of an email from Y.  
21 Gloria Park, Plaintiffs' counsel, received on November 1, 2023.

22  
23 I declare under penalty of perjury under the laws of the United States of  
24 America that the foregoing is true and correct to the best of my knowledge.  
25 Executed this 8th day of November 2023 at Los Angeles, California.

26  
27 By:   
28

Sophia M. Mancall-Bitel

# **EXHIBIT 1**

Business Help Center

+ Create an Ad  
English

Basics   Ads   Management   Measurement   Billing   Resources

Enter a Keyword



## Measure Website Events



About Web Measurement



Web Events & Parameters



TikTok Web Measurement Tools



TikTok Events Manager



Event Matching



Release Notes



Pixel Release Notes

TikTok PixelBot

# Pixel Release Notes

## July 6, 2023

### Enhance Data Postback with the TikTok Pixel

TikTok is improving the functionality of pixels by collecting and using landing page information such as metadata and button clicks. This new information will, in the future, enable TikTok to provide recommendations on how to enhance your pixel event setup and even offer automated solutions. This data may also be used to personalize



ad campaigns for people on TikTok and improve TikTok's ad delivery systems. Learn more about Enhance Data Postback.

## May 18, 2023

### Dynamic Parameter Postback for Event Builder



If you have limited technical resources, you can now set up value and content parameters directly in the Event Builder tool and take advantage of downstream products like VBO and Shopping Ads.

## May 11, 2023

### Custom Event Creation

Custom events are actions defined by you outside of the pre-defined standard events that TikTok offers. With custom events, you have the flexibility to set up events that reflect your specific user journey and segment reporting to more closely align with your KPIs. Although we're excited to offer this feature, it is strongly recommended that custom events only be used if there is not a standard event to meet your needs. It is To comply with TikTok's Business Data Terms and policies, and help protect your users' privacy, don't share sensitive user data with us when setting up events.

## March 14, 2023

### Attributed Event Deprecation from Events Manager

Starting March 14, 2023, Attributed Event reporting will live solely in TikTok Ads Manager and be removed from the Events Manager Overview table. You will still be able to see Total Event counts in Events Manager after this update.

To see Attributed Event reporting, visit the TikTok Ads Manager reporting platform and select Asset- Event Source ID. Make sure to uncheck non-conversion related metrics (Cost, Impressions, Clicks) to see the reporting.

## February 9, 2023

### Pixel Helper 2.1.0 release

We are excited to release a new and improved version of Pixel Helper starting February 9, 2023. Pixel Helper is a Chrome extension that can help you verify and troubleshoot pixel installation by checking for errors and providing implementation recommendations for your website. With Pixel Helper 2.1.0, we've improved the UI, fixed some bugs, and added new functionality to help you better diagnose pixel and event issues. To learn more, refer to Pixel Helper.

## December 6, 2022

### First-and third-party cookies now enabled for Commerce Partner-integrated pixels

Existing and new pixels created through commerce partners will use first-and third-party cookies as of December 6, 2022. Cookies help with the measurement, optimization, and targeting of campaigns. Performance is boosted when first- and third-party cookies are paired with Advanced Matching. To learn more, refer to Using Cookies with TikTok Pixel

## December 2, 2022

### Dynamic CDN enabled to improve the loading success rate of Pixel

Pixel reorganized to achieve dynamic and static separation. After the upgrade, each initialization will only need one dynamic resource named `events.js` (2kb) and two other static resources named `main.[hash].js` and `identify_[hash].js` (62.8kb + 31.1kb)

## September 27, 2022

### Pixel Sharing now available!

Pixel Sharing is now available in all Business Centers. Pixel Sharing lets you share your TikTok Pixel with others involved with your business by linking it to multiple ad accounts. To learn more, refer to Pixel Sharing in Business Center.

## Aug 31st, 2022

### Standard and Developer Mode Pixels have merged!

With the TikTok Pixel, advertisers have the flexibility to create events in whichever way they choose without committing to a setup mode. Creating or setting up a pixel is now a unified experience for all advertisers.

## May 19th, 2022

### Bug fixes

Fixed a bug causing false alarm error messages labeled as "this context is undefined" when using a browser debugging tool. There was no impact to pixel functionality or performance.

## May 16th, 2022

## **First- and third-party cookies are now enabled for downstream use**

First- and third-party cookies are fully enabled for downstream use. In other words, all standard and developer mode pixels will include third-party cookie data in attribution and optimization. First-party cookie data is also included in attribution and optimization, only if it is enabled in pixel settings.



## **April 21st, 2022**

### **New "status" parameter is now available to use**

We've added a new parameter type, 'status,' which is available to use with your events. To learn more, refer to Standard Events and Parameters.

## **March 10th, 2022**

### **First- and third-party cookies are now supported by the TikTok Pixel**

New pixels created after March 10, 2022, will now use first- and third-party cookies. Cookies help with the measurement, optimization, and targeting of campaigns. Performance is boosted when first- and third-party cookies are paired with Advanced Matching. During this update, cookies will not be in effect yet for other ads products. To learn more, refer to Using Cookies with TikTok Pixel.

## **March 3rd, 2022**

### **Automatic Advanced Matching is accepting participants for beta testing**



TikTok is introducing Beta testing for Automatic Advanced Matching. We invite you to take part in this exciting opportunity to test this new feature. Be a design partner and among the first to get all the latest updates. To learn more, refer to Advanced Matching for Web.

## **December 9th, 2021**

### **Diagnostics Suite now supports Events API**

We've added additional error messages and suggestions in Events Manager Diagnostics to support Events API troubleshooting. You can also test events setup with Events API to check if events are firing and for proper implementation.

## **October 25th, 2021**

### **New and Improved Events Manager**

TikTok Ads Events Manager helps you manage website pixels and events, and quickly access event data. We're happy to announce that we've made updates to Events Manager so it's more efficient and easier to use, such as:

- Streamlined design: Simplified and redesigned workflows so each step of the pixel and event creation process is clear and easy to follow.
- Expanded help guides: Resources containing step-by-step instructions, explanations for common questions, and solutions for troubleshooting.
- Simplified events: Standard events aligned to common industry terms, narrowed down the list of events, and quick event setup.

## **September 23rd, 2021**

### **New partners with the TikTok Pixel**

We're excited to announce new partnerships with BigCommerce, Ecwid, PrestaShop, and Square for the TikTok Pixel. With the TikTok App on any of our partners' platforms,



creating the pixel is a seamless process requiring only a few clicks. Benefits include:

- **Easy implementation:** With a click of a button, eliminate complicated setup processes and set up shop directly on TikTok.
- **Advanced features:** Built using the powerful developer codebase, the TikTok Pixel plugin offers premier access to the pixel's newest features.
- **Automatic updates:** Stay on top of the latest pixel updates with automatic version releases, no action is required.



## **September 2nd, 2021**

### **Change Log is now available in the Events Manager**

We've added a Change Log which is located in the pixel details page within Events Manager and lets you see any previous changes made to the pixel or its events.

## **August 20th, 2021**

### **New supported currencies added**

We've added 12 additional supported currencies [BHD, CZK, HUF, KHR, KWD, MAD, OMR, PHP, QAR, RON, UAH, ZAR] to help with measuring value and ROAS.

## **August 10th, 2021**

### **Event standardization has launched**

We've refreshed our list of supported Standard Events to make it easier to use and more aligned to common industry terms, this launch includes:

- Removal of event sets (or industry sets).
- The original 20 events have been deduped and consolidated into 12 events.

- Certain events have been renamed to align with common industry terms.
- 2 new brand events – Subscribe and Add to Wishlist were added to our list of supported Standard Events.

## June 30th, 2021



### Advanced Matching available via the Developer Mode Pixel

We're excited to announce Advanced Matching is now available to all regions and advertisers using the Developer Mode Pixel! Advanced Matching lets you send privacy safe customer information to better match website events with people on TikTok. With this update, Advanced Matching is available in more TikTok Business Tools, specifically TikTok Pixel and Pixel Partnerships.

## June 8th, 2021

### Multi-session Attribution update

TikTok Pixel now supports matching via IP address and user agent signals for users who are not opted out of tracking. With this update, get the full picture with a more complete measurement of your TikTok ads. To learn more about multi-session attribution, refer to About Web Attribution.

## May 20th, 2021

### New Pixel Diagnostics update

We're growing and shifting Pixel Diagnostics to its own tab within the pixel details page to actively monitor for common setup errors and issues while providing recommended actions to take. The Test Event tab will still enable you to test pixel

events in real-time using a live test environment that mimics how your website will show up in the TikTok app.

## **March 4th, 2021**

### **Pixel Helper 2.0 release**

We are excited to release a new and improved version of Pixel Helper starting March 4th. Pixel Helper is a Chrome extension that can help you verify and troubleshoot pixel installation by checking for errors and providing implementation recommendations for your website. With Pixel Helper 2.0, you can go deeper into troubleshooting pixel installation with detailed diagnostics at all levels, including pixel, event, and in some cases, parameter implementation.

## **March 2nd, 2021**

### **Pixel SDK upgraded to version 2.1**

Starting March 2nd, the pixel will be upgraded to the latest version (2.1), providing you with performance improvement benefits. This upgrade will automatically be applied, and no action is required to update the pixel code. With the update, you will now see an additional Pixel Helper PageView event whenever a page is loaded. This event indicates that the pixel was triggered as expected.

## **January 28th, 2021**

### **Advanced Matching available via the Shopify TikTok app**

Advanced Matching is a feature available via the TikTok Pixel that enables you to send privacy-safe hashed customer information (email addresses and phone numbers) to better match TikTok ads with website conversions, and enrich audiences for

retargeting. To enable or disable Advanced Matching in Shopify, navigate to pixel settings in the TikTok Channel app and select the Advanced Matching toggle button.

## **January 20th, 2021**

### **Pixel Diagnostics available in Test Event tab**



Starting January 20, Pixel Diagnostics will be available for each event in the Test Event tab in Events Manager. To access Diagnostics, navigate to the Test Event tab and trigger events based on your event rules to see potential errors and suggestions on how to fix.

## **January 11th, 2021**

### **Pixel Developer Mode will be released to all advertisers starting January 14th**

Starting January 14th, we will release Developer Mode to all advertisers with access to TikTok Ads Manager. Developer Mode is an implementation method for the TikTok Pixel that provides flexibility for event configuration, allowing advertisers to send parameters in addition to events, and is required for other TikTok products including web-based Advanced Matching and Dynamic Product Ads (DPA) retargeting. With the additional parameter data, you can also access additional metrics like Return on Ad Spend (ROAS).

## **December 28th, 2020**

### **Complete Payment ROAS metric will now display two decimal places**



Starting the week of 1/4, the Complete Payment ROAS metric will display two decimal places for all advertisers, including those using the Shopify pixel integration. Previously, this metric did not show any decimals.

## December 14th, 2020

### Reporting update for recent E-comm event set additions

Ads Manager reporting for the new E-comm events, also available via the Shopify integration (Initiate Checkout, Add Billing, Search), will not be available until 12/29. This means that if advertisers try to create a custom column > page event in reporting, they will not see columns or data for these events. Although the reporting columns won't be available until 12/29, we will backfill the data to 12/8.

## December 7th, 2020

### New events added to E-comm event set and Shopify TikTok App

Starting 12/9, three new events will be available in the E-comm event set and through the TikTok App on Shopify. Advertisers who create new pixels in Ads Manager will have access to the new events. Shopify customers leveraging the TikTok App integration will automatically have access to the new events with no action required. The three new events include:

- Initiate Checkout: When a checkout process is started.
- Add Billing: When payment information is added in the checkout flow.
- Search: When a search is made.
- Pixel code for Standard Mode updated in Ads Manager

We have deployed Pixel 2.1 code in TikTok Ads Manager. Benefits of the new code include better page diagnostics and enable better ad experiences. Pixel 2.0 code will continue to function as expected if you do not want to update it.



Was this information helpful?

☐

Yes

☐

No

Our Products

TikTok for Business

**TikTok For Business**

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# **EXHIBIT 2**

# Changelog

The latest Events API version is: **v2.0**

## Available Events API Versions

The table below lists the specific deprecation dates for each version of Events API.

To learn about the changelog for Marketing API versions, refer to [Timelines](#).

Version	Date introduced	Available until	Supported by Marketing API versions	Versioned changes
Events API 2.0	July 18, 2023	TBD	v1.3	Compared with the six Events API 1.0 endpoints (/pixel/track/, /pixel/batch/, /offline/track/, /offline/batch/, /app/track/, and /app/batch/), the Events API 2.0 endpoint /event/track/ provides a unified API schema for reporting events from all sources, including web, app, and offline, helping advertisers simplify and streamline their integration.
Events API 1.0	August 15, 2022	H2 2024	v1.3 & v1.2	/

# **EXHIBIT 3**

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Attorneys for Plaintiff Bernadine Griffith

**UNITED STATES DISTRICT COURT**  
**CENTRAL DISTRICT OF CALIFORNIA, EASTERN DIVISION**

BERNADINE GRIFFITH, PATRICIA  
SHIH; RHONDA IRVIN; MATTHEW  
RAUCH; JACOB WATTERS,  
individually and on behalf of all others  
similarly situated,

Plaintiff,

vs.

TIKTOK, INC, a corporation;  
BYTEDANCE, INC., a corporation,

Defendants.

CASE NO. 5:23-cv-00964-SB-E

**PLAINTIFFS' REQUESTS FOR  
PRODUCTION OF DOCUMENTS  
AND THINGS, SET 3 (NOS. 69-72)**

Assigned to Hon. Stanley Blumenfeld,  
Jr.  
Courtroom 6C

Action Filed: May 26, 2023  
Trial Date: 9/30/2024



1 PROPOUNDING PARTY: PLAINTIFFS GRIFFITH, SHIH, IRVIN, RAUCH,  
2 WATTERS

3 RESPONDING PARTY: DEFENDANTS TIKTOK, INC. AND BYTEDANCE,  
4 INC.

5 SET NO.: THREE (NOS. 69 - 72)

6 Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure, Plaintiffs,  
7 by and through their attorneys, hereby request that Defendants TikTok, Inc., and  
8 ByteDance, Inc. (“Defendants”), produce for inspection and copying the following  
9 described documents in its possession, custody, or control. The requested documents  
10 are to be produced or made available for inspection at the offices of Susman Godfrey,  
11 1900 Avenue of the Stars, Suite 1400, Los Angeles, CA 90067 within the time period  
12 permitted by the Federal Rules of Civil Procedure. These requests are continuing in  
13 nature, requiring Defendants to supplement its answers and responses, setting forth  
14 any information within the scope of these discovery requests that may be acquired  
15 by Defendants subsequent to its original answers.

### 16 **DEFINITIONS**

17 1. The term “All” includes the word “any,” and vice versa.

18 2. The term “Communication” is to be construed in the broadest possible  
19 sense, and includes, but is not limited to, any transmission of information in any form  
20 and of any kind, including electronic, oral, or written transmission, whether such was  
21 by chance, prearranged, formal or informal, including conversations in person, notes  
22 of conversations, letters, electronic mail, telephone conversations, facsimile  
23 transmissions, correspondence or memoranda, formal statements, press releases or  
24 newspaper articles.

25 3. The term “Document” and “Documents” shall be synonymous in  
26 meaning and equal to the broadest meaning provided by Rule 34 of the Federal Rules  
27 of Civil Procedure including, without limitation, original and any non-identical copy  
28 of every kind of written, printed, typed, recorded, or graphic matter, however

1 produced or reproduced, including all correspondence, letters, telegrams, telexes,  
2 messages, memoranda, instructions, emails, handwritten or recorded notes, and all  
3 records, schedules, reports, surveys, calculations, transcripts, notes, time cards,  
4 personal expense reports, appointment books, calendars, plans, purchase orders,  
5 contracts, subcontracts, charts, Communications, database, data compilation, diary,  
6 draft, drawing, electronically stored information, emails, fax, floppy disk, graph,  
7 hard drive, image, index, instant message, letter, log, magnetic tape, memorandum,  
8 note, optical disk, photograph, report, sound recording, spreadsheet, storage device,  
9 text message, version, voicemail or writing. This term shall apply to any Document,  
10 whether in hard copy or electronic form, on any computers or other system. Any  
11 copy of a Document that differs in any respect.

12 4. The term “Identify” or “Identity” means to state or a statement of:

13 a. in the case of an entity, its full legal name, corporate form,  
14 present or last known address, and relevant divisions;

15 b. in the case of a natural person, his or her full name, present or  
16 last known address, and present or last known place of employment and  
17 employment title. If the person is not a party or present employee of a party, said  
18 telephone numbers shall be provided;

19 c. in the case of a communication, its date, type (e.g., telephone  
20 conversation, in-person discussion, email), the place where it occurred, the identity  
21 of the person who made the communication, the identity of the person who received  
22 the communication, the identity of each other person when it was made, and the  
23 subject matter discussed;

24 d. in the case of a document, the title of the document, the author,  
25 the title or position of the author, the addressee, each recipient, the type of  
26 document, the subject matter, and the date of preparation;

27 e. in the case of an agreement, its date, the place where it occurred,  
28 the identity of all persons who were parties to the agreement, the identity of each

1 person who has knowledge of the agreement and all other persons present when it  
2 was made, and the subject matter of the agreement; and

3 f. in the case of time periods, the date(s).

4 5. The term “TikTok” means TikTok, Inc. and any of its directors,  
5 officers, consultants, agents, representatives, predecessors in interest, subsidiaries,  
6 assignees, licensees, employees, attorneys and any other persons acting on TikTok  
7 LLC’s behalf, including contractors.

8 6. The term “ByteDance” means ByteDance, Inc. and any of its directors,  
9 officers, consultants, agents, representatives, predecessors in interest, subsidiaries,  
10 assignees, licensees, employees, attorneys and any other persons acting on  
11 ByteDance LLC’s behalf, including contractors.

12 7. The term “You,” “Your,” or “Defendants” means or refers to TikTok  
13 and ByteDance, and any of their attorneys, agents, representatives, predecessors,  
14 successors, assigns, and any Persons acting or purporting to act on its interest.

15 8. The term “Person(s)” includes without limitation any natural person,  
16 firm, association, organization, partnership, business, trust, corporation, or public  
17 entity. Any reference to a Person that is a business entity and is not otherwise  
18 defined includes that Person’s predecessors, if any (including any pre-existing  
19 Person that at any time became part of that entity after merger or acquisition),  
20 successors, parents divisions, subsidiaries, affiliates, franchisors and franchisees,  
21 and any other Person acting for or on behalf of them.

22 9. The terms “concerning,” “relate,” or “relating to” include addressing,  
23 analyzing, concerning, constituting, containing, commenting on, discussing,  
24 describing, identifying, in connection with, referring to, reflecting, relating, relating  
25 to, reporting on, stating, or dealing with, in whole or in part, in addition to their  
26 customary and usual meanings, and shall be construed in the broadest sense  
27 possible.

28 10. The term “TikTok SDK” refers to the TikTok Pixel, the TikTok Events

1 API, and all similar TikTok software installed on Websites and/or Websites’  
2 servers.

3 11. The term “Data” refers to any and all digitally stored and transmitted  
4 information on non-TikTok users collected through the TikTok SDK. To the extent  
5 that Defendants do not disaggregate such information between TikTok users and  
6 non-TikTok users, “Data” shall refer to any and all digitally stored and transmitted  
7 information on both TikTok users and non-TikTok users collected through the  
8 TikTok SDK.

9 12. The term “Website” refers to websites that You do not own that use or  
10 previously used the TikTok SDK.

### 11 INSTRUCTIONS

12 1. **Responses:** Respond to each request for production by producing the  
13 requested Documents in their entirety, notwithstanding the fact that portions thereof  
14 may contain information not requested, along with every family document (such as  
15 any appendices, attachments, cover letters, exhibits, and schedules), that is in Your  
16 possession, custody, or control. If there are no Documents in Your possession,  
17 custody, or control that are responsive to a particular request for production, provide  
18 a written response stating so.

19 2. **Time Period:** The time period for these requests is the start of the Class  
20 Period or January 1, 2020, whichever is earlier, through the present (and ongoing)  
21 unless stated otherwise.

22 3. **Construction:** For purposes of reading, interpreting, or construing the  
23 scope of the Definitions, Instructions, and Requests, all of the terms shall be given  
24 their most expansive and inclusive interpretation. This includes the following:

25 a. The singular form of a word shall be interpreted as plural and  
26 vice versa.

27 b. “And,” “or,” as well as “and/or” shall be construed either  
28 disjunctively or conjunctively as necessary to bring within the scope of the Request

1 any document that might otherwise be construed to be outside the scope of the  
2 Request.

3 c. “All,” “each” and “any” shall be construed as “all, each, and  
4 any.”

5 d. The masculine form of a word shall be interpreted as and shall  
6 include the feminine and vice versa.

7 e. The use of a verb in any particular tense shall be construed as the  
8 use of the verb in all other tenses as necessary to bring within the scope of the  
9 Request any document that might otherwise be construed to be outside the scope of  
10 the Request.

11 4. **Objections:** Each Request shall be responded to fully, unless it is  
12 objected to in good faith. In that case, the reason(s) for the objection shall be stated  
13 in writing and with particularity. If an objection is to only a portion of the Request,  
14 state the objection as to that portion only and respond to any portion of the Request  
15 to which You do not object.

16 a. If You claim any ambiguity in interpreting the Request or any of  
17 the applicable Instructions or Definitions, such claim shall not be used as a basis for  
18 refusing to respond to the Request. In any such circumstance, You should set forth  
19 as part of Your response the language claimed to be ambiguous and the  
20 interpretation chosen or used by You in responding to the Request and You shall  
21 respond as fully as possible notwithstanding any claimed ambiguity or objection.

22 b. If You object to the Request on the ground that it is overly broad,  
23 You are instructed to produce Documents in response as narrowed to conform to  
24 Your objection and to state in Your response: (1) how You narrowed the Request;  
25 and (2) all reason(s) why You claim the Request is overly broad.

26 c. The fact that a document has been or could be produced by any  
27 other Person does not relieve You of the obligation to produce such Document, even  
28 if the Document in Your possession, custody, or control is identical in all respects to



1 the document produced or held by any other Person.

2       5.       Production: Produce each responsive Document and all family  
3 documents in accordance with the terms of any agreement between the parties  
4 regarding the production of Documents.

5               a.       If any Documents are withheld based on an objection to any  
6 Request, all Documents covered by that Request but not subject to the objection  
7 should be produced.

8               b.       Documents not otherwise responsive to any of the Requests  
9 herein should be produced if such Documents are attached to a Document or thing  
10 called for by these Requests.

11              c.       Unless otherwise specified, the Documents requested include the  
12 responsive Documents in Your actual or constructive possession, control or custody,  
13 as well as the responsive Documents in the actual or constructive possession, control  
14 or custody of Your employees, agents, representatives, managers, or any other  
15 person acting or purporting to act on its behalf, and, unless privileged and such  
16 privilege has not been waived, its attorneys.

17              d.       Unless otherwise specified, the Documents requested include all  
18 responsive Documents in Your possession, custody or control that exist in electronic  
19 format (whether on internal or external hard drives; on desktop, laptop, notebook,  
20 tablet, or personal digital assistant computers; servers; CDs; DVDs; USB drives; or  
21 any other electronic medium).

22              e.       Documents shall be produced either (a) as they are kept in the  
23 usual course of business (in which case they shall be produced in such fashion as to  
24 identify the department, branch, or office in whose possession it was located and,  
25 where applicable, the natural person in whose possession it was found or the server  
26 or central file in which it was found, and the address of each Document's  
27 custodian(s)), or (b) organized and labeled to correspond to the specific Request  
28 enumerated in these Requests, with such specific Request identified.

1 f. In producing Documents, You are requested to produce a legible  
 2 copy of each Document requested together with all non-identical copies and drafts  
 3 of that Document. You shall retain all of the original Documents for inspection or  
 4 copying throughout the pendency of this any appeal(s), and any related proceedings.

5 g. Any alteration of a responsive Document, including any  
 6 marginal notes, handwritten notes, underlining, date stamps, received stamps,  
 7 endorsed or filed stamps, drafts, revisions, modifications, and other versions of a  
 8 Document is a responsive Document in its own right and must be produced.

9 h. Documents should be produced in full, without abbreviation or  
 10 expurgation, regardless of whether You consider the entire Document to be relevant  
 11 or responsive.

12 i. In instances where two or more exact duplicates of any  
 13 Document exist, the most legible copy shall be produced.

14 6. **Privilege Log:** To the extent You object to or claim a privilege with  
 15 respect to any Request in whole or in part, provide the following information for  
 16 each Document and each portion of any Document withheld: (a) its Bates Number;  
 17 (b) its type (e.g., email, memorandum, spreadsheet, text message); (c) any author(s)  
 18 or sender(s); (d) any recipients; (e) any persons cc'd or bcc'd; (f) its date; (g)  
 19 whether it was redacted or withheld; (h) the applicable privilege(s) or protection(s);  
 20 and (i) a brief description of why the privilege(s) or protection(s) justify the  
 21 redaction or withholding. For all persons identified as author(s), sender(s),  
 22 recipient(s), or cotypees or blind cotypees, identify for each person, her affiliation(s),  
 23 title(s), and whether she is an attorney.

24 7. **Lost Materials:** If any responsive Document was, but no longer is, in  
 25 Your possession, custody, or control, then provide a log that lists for each such  
 26 Document (a) its type (e.g., email, memorandum, spreadsheet, text message); (b)  
 27 any author(s) or sender(s); (c) any recipients; (d) any persons cc'd; (e) its date; and  
 28 (f) its subject matter.

1           8.     **Continuing Obligation:** These Requests are to be considered  
 2 continuing in nature, and You must promptly furnish supplemental responses if any  
 3 additional Documents or information is discovered or created after Your responses  
 4 are tendered, or if any of Your responses are subsequently determined to be  
 5 incorrect, incomplete, or misleading in any respect.

## 6                                   **REQUESTS FOR PRODUCTION**

### 7     **REQUEST FOR PRODUCTION NO. 69:**

8           Documents sufficient to Identify the settings for the TikTok SDK installed on  
 9 any of the following Websites and/or the servers related to those websites: Girl  
 10 Scouts, WebMD, Rite Aid, Recovery Centers of America, Cerebral, The Vitamin  
 11 Shoppe, Weight Watchers, Planned Parenthood Federation of America, SmartAsset,  
 12 Happy Money, United Methodist Church, COVID-19 information page of the  
 13 Maryland Department of Health, Arizona Department of Economic Security, Hulu,  
 14 Etsy, Build-a-Bear Workshop, Upwork, and Feeding America.

### 15   **REQUEST FOR PRODUCTION NO. 70:**

16          Documents sufficient to Identify the fields of Data collected or sent through  
 17 the TikTok SDK installed on any of the following Websites and/or the servers  
 18 related to those websites: Girl Scouts, WebMD, Rite Aid, Recovery Centers of  
 19 America, Cerebral, The Vitamin Shoppe, Weight Watchers, Planned Parenthood  
 20 Federation of America, SmartAsset, Happy Money, United Methodist Church,  
 21 COVID-19 information page of the Maryland Department of Health, Arizona  
 22 Department of Economic Security, Hulu, Etsy, Build-a-Bear Workshop, Upwork,  
 23 and Feeding America.

### 24   **REQUEST FOR PRODUCTION NO. 71:**

25          Documents sufficient to Identify the date on which the TikTok SDK was  
 26 installed and/or uninstalled on any of the following Websites and/or the servers  
 27 related to those websites: Girl Scouts, WebMD, Rite Aid, Recovery Centers of  
 28 America, Cerebral, The Vitamin Shoppe, Weight Watchers, Planned Parenthood

1 Federation of America, SmartAsset, Happy Money, United Methodist Church,  
2 COVID-19 information page of the Maryland Department of Health, Arizona  
3 Department of Economic Security, Hulu, Etsy, Build-a-Bear Workshop, Upwork,  
4 and Feeding America.

5 **REQUEST FOR PRODUCTION NO. 72:**

6 Any and all reports or communications relating to the TikTok SDK that You  
7 have sent and/or generated, or allowed to be sent and/or generated, regarding any of  
8 the following websites: Girl Scouts, WebMD, Rite Aid, Recovery Centers of  
9 America, Cerebral, The Vitamin Shoppe, Weight Watchers, Planned Parenthood  
10 Federation of America, SmartAsset, Happy Money, United Methodist Church,  
11 COVID-19 information page of the Maryland Department of Health, Arizona  
12 Department of Economic Security, Hulu, Etsy, Build-a-Bear Workshop, Upwork,  
13 and Feeding America.

14  
15 DATED: October 31, 2023

Ekwan E. Rhow  
Marc E. Masters  
Christopher J. Lee  
Bird, Marella, Boxer, Wolpert, Nessim,  
Drooks, Lincenberg & Rhow, P.C.

16  
17  
18  
19  
20 By: 

21 Christopher J. Lee  
22 Attorneys for Plaintiff Bernadine Griffith  
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24  
25  
26  
27  
28

**PROOF OF SERVICE**

***Bernadine Griffith v. TikTok, Inc., et al.***  
**Case No. 5:23-cv-964**

**STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Los Angeles, State of California. My business address is 1875 Century Park East, 23rd Floor, Los Angeles, CA 90067-2561.

On October 31, 2023, I served the following document(s) described as **PLAINTIFFS' REQUESTS FOR PRODUCTION OF DOCUMENTS AND THINGS, SET 3 (NOS. 69-72)** on the interested parties in this action as follows:

**SEE ATTACHED SERVICE LIST**

**BY E-MAIL OR ELECTRONIC TRANSMISSION:** I caused the document(s) to be sent from e-mail address jkinsey@birdmarella.com to the persons at the e-mail addresses listed in the Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on October 31, 2023, at Los Angeles, California.

  
\_\_\_\_\_  
Jessica D. Kinsey

**SERVICE LIST**  
***Bernadine Griffith v. TikTok, Inc., et al.***  
**Case No. 5:23-cv-964**

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 Kalpana Srinivasan  
 Steven G. Sklaver  
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**Counsel for Defendants TIKTOK, Inc. and ByteDance, Inc.**

# **EXHIBIT 4**

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**From:** Gloria Park <GPark@susmangodfrey.com>  
**Sent:** Wednesday, November 1, 2023 5:47 AM  
**To:** Campbell, Evan; Yin, Kelly; Hsu, Sarah; Torrez, Shallen; Mancall-Bitel, Sophie; Weibell, Tony; Jih, Victor  
**Cc:** Christopher J. Lee; Ekwan E. Rhow; Gloria Park; Greg Fisk; Gregory B. Linkh; Houston Davidson; Jessica D. Kinsey; Jonathan Rotter; K. Wolke; Kalpana Srinivasan; Marc E. Masters; Michael Gervais; Nicholas Loaiza; Steven Sklaver  
**Subject:** Griffith/TikTok - Joint Stipulation re Pltfs' Mtn to Compel  
**Attachments:** 2023-11-01 Griffith v. TikTok - Decl. of G.Park.pdf; Exhibits.zip; 2023-11-01 Griffith v. TikTok - Joint Stipulation re Pltf's MTC.docx

EXT - [gpark@susmangodfrey.com](mailto:gpark@susmangodfrey.com)

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Counsel,

Pursuant to Local Rule 37-2.2, please see attached a joint stipulation regarding Plaintiff's Motion to Compel, as well as a supporting declaration and exhibits. Please send the stipulation with Defendants' statements inserted no later than November 8.

Best,  
Gloria

**Gloria Park | Susman Godfrey**

o. 212.729.2029 | c. 917.340.3695

1301 Avenue of the Americas, 32<sup>nd</sup> Fl. | New York, NY 10019

[gpark@susmangodfrey.com](mailto:gpark@susmangodfrey.com)

This e-mail may contain privileged and confidential information. If you received this message in error, please notify the sender and delete it immediately.